



PTO/SB/21 (02-04)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	<b>10/659,664</b>
	Filing Date	<b>Sept. 10, 2003</b>
	First Named Inventor	<b>Alfred Binggeli</b>
	Art Unit	<b>1626</b>
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	<b>21322</b>

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Cited Art</b> <b>Statement under 37 CFR 1.197</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	<b>Eileen M. Ebel</b>	
Signature		
Date	<b>May 11, 2004</b>	

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Typed or printed name	<b>Eileen M. Ebel</b>	
Signature		Date <b>May 11, 2004</b>

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application

Binggeli et al

Group: 1626

Serial No. 10/659,664, filed Sept. 10, 2003

Examiner:

For: **INDOLYL DERIVATIVES**

**STATEMENT UNDER 37 CFR §1.97(e)**

Nutley, New Jersey 07110  
May 11, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify:

X That each item of information contained in the enclosed information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this information disclosure statement.

— That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Blnggeli et al

Group: 21322

Serial No. 10/659,664, filed Sept. 10, 2003

Examiner:

For: **INDOLYL DERIVATIVES**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110  
May 11, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents A10-A11, B21-B24, C26-C27 are listed on Form PTO-1449.  
Documents B21-B24, C26-C27 are enclosed

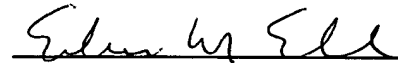
Enclosed is a Search Report, dated February 13, 2004, which was issued by the European Patent Office in the PCT/ EP 03/09819 application corresponding to the captioned application. The Search Report lists Documents A10-A11, B21-B24, C26-C27.

Consideration of all the documents cited on Form PTO-1449 is requested.

Serial No. 10/659,664  
Filed: Sept. 10, 2003

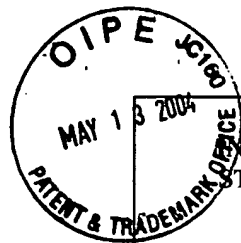
Since the Information Disclosure Statement is submitted before the mailing of the first Office Action on the merits and/or because each item of information contained in the Information Disclosure Statement was cited in a communication for the first time from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, no fee is due.

Respectfully submitted,



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142004



Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)				Application Number	10/659,664
				Filing Date	Sept. 10, 2003
				First Name Inventor	Alfred Bingelli
				Group Art Unit	1626
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	21322

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A10	5 811 439		Ogawa Masashi et al	09-22-1998
	A11	6,069,156		Oku et al	05-30-2000

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	B21	WO	96 26207		Nissan Chemical Ind Ltd	08-29-1996
	B22	WO	02 08188		Merck & Co. Inc.	01-31-2002
	B23	WO	97 27857		Bergman et al	08-07-1997
	B24	WO	03 040114		Bristol Myers Co	05-15-2003
Examiner Signature		Date Considered				

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.

